

ESTTA Tracking number: **ESTTA770454**Filing date: **09/14/2016**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Geeknet, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	11216 Waples Mill Rd., Suite 100 Fairfax, VA 22030 UNITED STATES		
Attorney information	SARAH ANNE KEEFE WOMBLE CARLYLE SANDRIDGE & RICE LLP 271 17th Street NW SUITE 2400 ATLANTA, GA 30363 UNITED STATES atltrademarks@wcsr.com, escheible@wcsr.com		

Applicant Information

Application No	86873533	Publication date	08/16/2016
Opposition Filing Date	09/14/2016	Opposition Period Ends	09/15/2016
Applicant	Xing, Wu 1403, Duty-free Business Bldg. Shenzhen, Guangdong, CHINA		

Goods/Services Affected by Opposition

Class 014. First Use: 2014/01/21 First Use In Commerce: 2014/01/21


All goods and services in the class are opposed, namely: Alloys of precious metal; Boxes for timepieces; Boxes of precious metal; Bracelets; Cases being parts of watches and clocks; Charms; Clocks; Earrings; Jewelry; Jewelry boxes; Jewelry rolls; Movements for clocks and watches; Necklaces; Precious metals, unwrought or semi-wrought; Rings; Watch bands; Watch glasses; Watchhands; Watches; Wristwatches


Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	4760109	Application Date	11/04/2014
Registration Date	06/23/2015	Foreign Priority Date	NONE
Word Mark	THINKGEEK		

Design Mark			
Description of Mark	The mark consists of the stylized word "THINKGEEK" in which the letters "GEEK" are reversed.		
Goods/Services	Class 035. First use: First Use: 2014/08/01 First Use In Commerce: 2014/08/01 On-line retail store services featuring a wide variety of consumer goods; Wholesale and retail store services featuring a wide variety of consumer goods		

U.S. Registration No.	2535696	Application Date	03/20/2000
Registration Date	02/05/2002	Foreign Priority Date	NONE
Word Mark	THINKGEEK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1998/03/15 First Use In Commerce: 1998/03/15 Online retail services targeted to the computer community and featuring a variety of items, namely clothing, books, toys, mugs, glassware, lamps, electronics, paper goods, food stuffs, beverages, hats, key chains and rings, and tools		


U.S. Registration No.	3888853	Application Date	11/25/2009
Registration Date	12/14/2010	Foreign Priority Date	NONE
Word Mark	GEEKNET		

Design Mark	GEEKNET
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2009/11/04 First Use In Commerce: 2009/11/04 Online retail store services featuring a wide variety of consumer goods of others; online retail store services targeted to the open source, computer, technology, and media communities and featuring a wide variety of goods of others; online advertising and marketing services; advertising by transmission of online publicity for third parties through electronic communications networks

U.S. Registration No.	4991955	Application Date	10/19/2015
Registration Date	07/05/2016	Foreign Priority Date	NONE
Word Mark	THINKGEEK		
Design Mark			
Description of Mark	The mark consists of the stylized word "THINKGEEK" in which the word "THINK" appears in white and the word "GEEK" appears in green. Each letter in the word "GEEK" is reversed and in reverse letter order, namely, "KEEG", with the letter "K" in "THINK" and the letter "K" in "GEEK" overlapping so as to form a diamond. The black in the mark represents background and/or transparent areas and is not part of the mark.		
Goods/Services	Class 035. First use: First Use: 2014/08/01 First Use In Commerce: 2014/08/01 On-line retail store services featuring a wide variety of general consumer merchandise; Wholesale and retail store services featuring a wide variety of general consumer merchandise		

U.S. Registration No.	5002007	Application Date	10/19/2015
Registration Date	07/19/2016	Foreign Priority Date	NONE
Word Mark	THINKGEEK		
Design Mark			

Description of Mark	The mark consists of the stylized word "THINKGEEK" in which the word "THINK" appears in gray and the word "GEEK" appears in green. Each letter in the word "GEEK" is reversed and in reverse letter order, namely, "KEEG", with the letter "K" in "THINK" and the letter "K" in "GEEK" overlapping so as to form a diamond.
Goods/Services	Class 035. First use: First Use: 2014/08/01 First Use In Commerce: 2014/08/01 On-line retail store services featuring a wide variety of general consumer merchandise; Wholesale and retail store services featuring a wide variety of general consumer merchandise

U.S. Registration No.	5001722	Application Date	08/28/2015
Registration Date	07/19/2016	Foreign Priority Date	NONE
Word Mark	THINKGEEK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2014/08/01 First Use In Commerce: 2014/08/01 Wholesale and retail store services featuring a wide variety of general consumer merchandise		

Attachments	86444341#TMSN.png(bytes) 76004360#TMSN.png(bytes) 77880840#TMSN.png(bytes) 86791933#TMSN.png(bytes) 86791920#TMSN.png(bytes) 86740723#TMSN.png(bytes) Notice of Opposition GEEKTHINK.pdf(116673 bytes) GEEKTHINK Opposition Exhibit A.pdf(309020 bytes) GEEKTHINK Opposition Exhibit B.pdf(5223923 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Sarah Anne Keefe/
Name	SARAH ANNE KEEFE
Date	09/14/2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 86/873,533

Published on August 16, 2016

Mark: GEEKTHINK (Stylized)

GEEKNET, INC.

Opposer,

v.

XING, WU

Applicant.

Opposition No. _____


NOTICE OF OPPOSITION


Opposer Geeknet, Inc., a Delaware corporation having its principal place of business at 11216 Waples Mill Road, Suite 100, Fairfax, Virginia 22030 and/or its related companies (“Opposer”), believes it will be damaged by the registration of the mark that is the subject of U.S. App. Ser. No. 86/873,533 GEEKTHINK (Stylized) (“Applicant’s Mark”), published in the Official Gazette on August 16, 2016, for “alloys of precious metal; boxes for timepieces; boxes of precious metal; bracelets; cases being parts of watches and clocks; charms; clocks; earrings; jewelry; jewelry boxes; jewelry rolls; movements for clocks and watches; necklaces; precious metals, unwrought or semi-wrought; rings; watch bands; watch glasses; watch hands; watches; wristwatches,” in International Class 14, and hereby opposes same. As grounds for the opposition, Opposer alleges that:

1. On January 12, 2016, Applicant Wu Xing (“Applicant”) filed a used-based application to register Applicant’s Mark for use in connection with certain goods identified above, including watches, jewelry and jewelry storage.

2. Prior to the filing date of the application to register Applicant's Mark, and prior to the date of first use alleged by Applicant in its application, Opposer has used, and not abandoned, an inherently distinctive family of THINK and GEEK marks including THINKGEEK, GEEKNET and THINKGEEK & Design in interstate commerce throughout the United States in connection with a variety of consumer goods including watches and jewelry. See **Exhibit A**.

3. Opposer is the owner of the following federal trademark registrations:

Mark	Registration No.	Registration Date	Services
THINKGEEK	4,760,109	June 23, 2015	On-line retail store services featuring a wide variety of consumer goods; Wholesale and retail store services featuring a wide variety of consumer goods
THINKGEEK	2,535,696	February 5, 2002	Online retail services targeted to the computer community and featuring a variety of items, namely clothing, books, toys, mugs, glassware, lamps, electronics, paper goods, food stuffs, beverages, hats, key chains and rings, and tools
GEEKNET	3,888,853	December 14, 2010	Online retail store services featuring a wide variety of consumer goods of others; online retail store services targeted to the open source, computer, technology, and media communities and featuring a wide variety of goods of others; online advertising and marketing services; advertising by transmission of online publicity for third parties through electronic communications networks
THINKGEEK & Design 	4,991,955	July 5, 2016	On-line retail store services featuring a wide variety of general consumer merchandise; Wholesale and retail store services featuring a wide variety of general consumer merchandise

THINKGEEK & Design 	5,002,007	July 19, 2016	On-line retail store services featuring a wide variety of general consumer merchandise; Wholesale and retail store services featuring a wide variety of general consumer merchandise
THINKGEEK	5,001,722	July 19, 2016	Wholesale and retail store services featuring a wide variety of general consumer merchandise

(Current printouts from the electronic database records of the USPTO showing the current status and title of the above registrations are attached as **Exhibit B**.) The aforesaid registrations are valid and subsisting.

4. Opposer's family of GEEK and THINK marks, including its common law rights in its THINKGEEK and THINKGEEK & Design marks, the above-referenced registrations for the marks THINKGEEK, THINKGEEK & Design, and GEEKNET are collectively hereinafter referred to as "Opposer's Marks."

5. Opposer is now, and has been, engaged in selling watches and jewelry in its online and retail stores.

6. Opposer has used, is using and/or intends to use Opposer's Marks in connection with retail store services, which includes watches and jewelry. In particular,

- a) Opposer began using the mark THINKGEEK in connection with retail store services as least as early as March 1998.
- b) Opposer began using the mark GEEKNET in connection with retail store services as least as early as November 2009.

7. Opposer's Marks are valid and distinctive.

8. By the application herein opposed, Applicant seeks to register Applicant's Mark for "alloys of precious metal; boxes for timepieces; boxes of precious metal; bracelets; cases being parts of watches and clocks; charms; clocks; earrings; jewelry; jewelry boxes; jewelry

rolls; movements for clocks and watches; necklaces; precious metals, unwrought or semi-wrought; rings; watch bands; watch glasses; watch hands; watches; wristwatches,” in International Class 14. Such goods are also advertised, promoted and sold by Opposer under Opposer’s Marks.

9. Opposer’s Marks and Applicant’s Mark are confusingly similar in sight, sound, and meaning. Applicant’s Mark is the exact reverse of several of Opposer’s Marks and includes the exact components.

10. Applicant’s Mark so resembles Opposer’s Marks as to be likely to cause confusion and mistake and to deceive, with consequent injury to Opposer, the consuming public, and the trade.

11. Because of the high degree of inherent and acquired distinctiveness of the Opposer’s Marks, the length of time and extent to which Opposer has used Opposer’s Marks, the vast advertising and publicity Opposer’s Marks have received, the nationwide trading area in which Opposer’s Marks are used, and the high degree of consumer recognition of Opposer’s Marks, Opposer’s Marks are famous trademarks pursuant to 15 U.S.C. § 1125(c).

12. Opposer will be damaged by the registration sought by Applicant because such registration will support and assist Applicant in the confusing and misleading use of Applicant’s Mark, and will give color and exclusive statutory right to Applicant in violation and derogation of prior and superior rights of Opposer.

13. On information and belief, Applicant is not using Applicant’s Mark in commerce in connection with all of the goods identified in the application. On information and belief, Applicant’s statement that Applicant’s Mark is in use in commerce is false.

14. On information and belief, Applicant was not using Applicant's Mark in commerce in connection with all of the goods identified in the application at the time the application was filed. On information and belief, Applicant's statement that Applicant's Mark was in use in commerce at the time the application was filed is false.

WHEREFORE, Opposer believes it will be damaged by registration of Applicant's Mark and prays that registration be refused.

This 14th day of September, 2016.

Respectfully submitted,

/Sarah Anne Keefe/

Sarah Anne Keefe
WOMBLE CARLYLE SANDRIDGE & RICE, LLC
271 17th Street, NW
Suite 2400
Atlanta, Georgia 30363-1017
Telephone: (919) 484-2327
Facsimile: (919) 755-6093
Email: skeefe@wcsr.com

Attorneys for Opposer, Geeknet, Inc.

CERTIFICATE OF MAILING

I do hereby certify that on September 14, 2016, I filed via electronic means (ESTTA) this NOTICE OF OPPOSITION with the:

U.S. Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

/Emily Scheible/
Emily Scheible

CERTIFICATE OF SERVICE

I do hereby certify that on September 14, 2016, I mailed by United States mail, first class postage prepaid, a true and correct copy of this NOTICE OF OPPOSITION to Applicant, at the last address known by the undersigned and the last address displayed on the United States Patent and Trademark Office TEAS database, as follows:

Xing Wu
5860-3 Place Decelles
Montreal, Quebec
Canada

/Emily Scheible/
Emily Scheible

EXHIBIT A



SHOP BY CATEGORY ▾

SHOP BY INTEREST ▾

Search...



LOG IN

NO LOOT

WHAT'S NEW

BESTSELLERS

EXCLUSIVES

BACK TO SCHOOL

T-SHIRTS & APPAREL

ELECTRONICS & GADGETS

COLLECTIBLES

ON SALE

GEEKPOINTS

BACK TO SCHOOL

T-SHIRTS & APPAREL

T-Shirts

Women's Tops, Tanks & Babydolls

Polos & Work Shirts

Hoodies & Jackets

Slippers, Robes & Pajamas

Socks & Underwear

Dresses, Skirts & Leggings

Baby & Kids

Costumes & Cosplay

Jewelry

Watches

Wallets, Purses & Keychains

Bags, Backpacks & Luggage

Hats, Scarves, Belts & More

Cosmetics & Body

On Sale

View All

GEEK TOYS

ELECTRONICS & GADGETS

HOME & OFFICE

TOOLS, OUTDOOR & SURVIVAL

GEEK KIDS

STAR WARS

Home > T-Shirts & Apparel >

Jewelry

Green Lantern taught us that with the right jewelry, you can change the world. Why go to some fancy store in the mall to look at jewelry inside glass cases when you can get epic bling right here? We carry charm beads, necklaces, earrings, rings, bracelets, cufflinks, pendants, and more in all your favorite franchises, including [Star Wars](#), [Deadpool](#), and [Doctor Who](#).

1 2 >

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d20 Spinner Ring
\$19.99



Harry Potter Bracelet Set
\$19.99



I Love You / I Know Rings
\$19.99



Clicking Counter Ring
\$24.99





BACK TO SCHOOL

T-SHIRTS & APPAREL

T-Shirts

Women's Tops, Tanks & Babydolls

Polos & Work Shirts

Hoodies & Jackets

Slippers, Robes & Pajamas

Socks & Underwear

Dresses, Skirts & Leggings

Baby & Kids

Costumes & Cosplay

Jewelry

Watches

Wallets, Purses & Keychains

Bags, Backpacks & Luggage

Hats, Scarves, Belts & More

Cosmetics & Body

On Sale

View All

GEEK TOYS

ELECTRONICS & GADGETS

HOME & OFFICE

TOOLS, OUTDOOR & SURVIVAL

GEEK KIDS

STAR WARS

Home > T-Shirts & Apparel >

Watches

One of our favorite authors said, "Time is an illusion. Lunchtime doubly so." Our watch selection is here to keep up that illusion, some of them by not even looking like timepieces. We have classic wristwatches in analog or digital with silicone, leather, or metal bands. We also have pocket watches, because we think they're cool, as well as high-end limited-edition pieces. Don't you need one? We think it's about time.

1

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Tesla Watch
\$69.99



Legend of Zelda Leather Watch - E...
\$59.99



Nixon Sentry SS SW Watch - Mille...
\$249.99



Back to the Future Flux Capacitor...
~~\$39.99~~ \$49.99 **SALE**
Save 20%



EXHIBIT B

United States of America

United States Patent and Trademark Office

THINKGEEK

Reg. No. 4,760,109

Registered June 23, 2015

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

THINKGEEK, INC. (DELAWARE CORPORATION)
11216 WAPLES MILL RD., SUITE 100
FAIRFAX, VA 22030

FOR: ON-LINE RETAIL STORE SERVICES FEATURING A WIDE VARIETY OF CONSUMER GOODS; WHOLESALE AND RETAIL STORE SERVICES FEATURING A WIDE VARIETY OF CONSUMER GOODS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-1-2014; IN COMMERCE 8-1-2014.

OWNER OF U.S. REG. NO. 2,535,696.

THE MARK CONSISTS OF THE STYLIZED WORD "THINKGEEK" IN WHICH THE LETTERS "GEEK" ARE REVERSED.

SER. NO. 86-444,341, FILED 11-4-2014.

DEBORAH MEINERS, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.



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Mark: THINKGEEK

THINKGEEK

US Serial Number: 86444341

Application Filing Date: Nov. 04, 2014

US Registration Number: 4760109

Registration Date: Jun. 23, 2015

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

**TM5 Common Status
Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jun. 23, 2015

Publication Date: Apr. 07, 2015

United States of America
United States Patent and Trademark Office

THINKGEEK

Reg. No. 2,535,696

Registered Feb. 5, 2002

Amended Jan. 20, 2015

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

THINKGEEK, INC. (DELAWARE CORPORATION)
11216 WAPLES MILL RD.
SUITE 100
FAIRFAX, VA 22030

FOR: ONLINE RETAIL SERVICES TARGETED TO THE COMPUTER COMMUNITY AND
FEATURING A VARIETY OF ITEMS, NAMELY CLOTHING, BOOKS, TOYS, MUGS,
GLASSWARE, LAMPS, ELECTRONICS, PAPER GOODS, FOOD STUFFS, BEVERAGES,
HATS, KEY CHAINS AND RINGS, AND TOOLS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-15-1998; IN COMMERCE 3-15-1998.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 76-004,360, FILED 3-20-2000.



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

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Requirements in the First Ten Years*
What and When to File:

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Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.



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Mark: THINKGEEK

THINKGEEK

US Serial Number: 76004360

Application Filing Date: Mar. 20, 2000

US Registration Number: 2535696

Registration Date: Feb. 05, 2002

Register: Principal

Mark Type: Service Mark

**TM5 Common Status
Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Jan. 30, 2012

Publication Date: Nov. 13, 2001

United States of America

United States Patent and Trademark Office

GEEKNET

Reg. No. 3,888,853

Registered Dec. 14, 2010

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

GEEKNET, INC. (DELAWARE CORPORATION)
650 CASTRO STREET, SUITE 450
MOUNTAIN VIEW, CA 94041

FOR: ONLINE RETAIL STORE SERVICES FEATURING A WIDE VARIETY OF CONSUMER GOODS OF OTHERS; ONLINE RETAIL STORE SERVICES TARGETED TO THE OPEN SOURCE, COMPUTER, TECHNOLOGY, AND MEDIA COMMUNITIES AND FEATURING A WIDE VARIETY OF GOODS OF OTHERS; ONLINE ADVERTISING AND MARKETING SERVICES; ADVERTISING BY TRANSMISSION OF ONLINE PUBLICITY FOR THIRD PARTIES THROUGH ELECTRONIC COMMUNICATIONS NETWORKS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-4-2009; IN COMMERCE 11-4-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-880,840, FILED 11-25-2009.

WENDY JUN, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office



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Mark: GEEKNET

GEEKNET

US Serial Number: 77880840

Application Filing Date: Nov. 25, 2009

US Registration Number: 3888853

Registration Date: Dec. 14, 2010

Register: Principal

Mark Type: Service Mark

TM5 Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Dec. 14, 2010

Publication Date: Sep. 28, 2010

United States of America

United States Patent and Trademark Office



Reg. No. 4,991,955

Registered July 5, 2016

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

GEEKNET, INC. (DELAWARE CORPORATION)
11216 WAPLES MILL RD., SUITE 100
FAIRFAX, VA 22030

FOR: ON-LINE RETAIL STORE SERVICES FEATURING A WIDE VARIETY OF GENERAL CONSUMER MERCHANDISE; WHOLESALE AND RETAIL STORE SERVICES FEATURING A WIDE VARIETY OF GENERAL CONSUMER MERCHANDISE, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-1-2014; IN COMMERCE 8-1-2014.

OWNER OF U.S. REG. NOS. 2,535,696 AND 4,760,109.

THE COLOR(S) WHITE AND GREEN IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE STYLIZED WORD "THINKGEEK" IN WHICH THE WORD "THINK" APPEARS IN WHITE AND THE WORD "GEEK" APPEARS IN GREEN. EACH LETTER IN THE WORD "GEEK" IS REVERSED AND IN REVERSE LETTER ORDER, NAMELY, "KEEG", WITH THE LETTER "K" IN "THINK" AND THE LETTER "K" IN "GEEK" OVERLAPPING SO AS TO FORM A DIAMOND. THE BLACK IN THE MARK REPRESENTS BACKGROUND AND/OR TRANSPARENT AREAS AND IS NOT PART OF THE MARK.

SER. NO. 86-791,933, FILED 10-19-2015.

MATTHEW CUCCIAS, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
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**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

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Mark: THINKGEEK



US Serial Number: 86791933

Application Filing Date: Oct. 19, 2015

US Registration Number: 4991955

Registration Date: Jul. 05, 2016

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

**TM5 Common Status
Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 05, 2016

Publication Date: Apr. 19, 2016

United States of America

United States Patent and Trademark Office

THINKGEEK

Reg. No. 5,002,007

Registered Jul. 19, 2016

Int. Cl.: 35

Service Mark

Principal Register

GEEKNET, INC. (DELAWARE CORPORATION)
11216 WAPLES MILL RD., SUITE 100
FAIRFAX, VA 22030

CLASS 35: On-line retail store services featuring a wide variety of general consumer merchandise; Wholesale and retail store services featuring a wide variety of general consumer merchandise

FIRST USE 8-1-2014; IN COMMERCE 8-1-2014

The color(s) gray and green is/are claimed as a feature of the mark.

The mark consists of the stylized word "THINKGEEK" in which the word "THINK" appears in gray and the word "GEEK" appears in green. Each letter in the word "GEEK" is reversed and in reverse letter order, namely, "KEEG", with the letter "K" in "THINK" and the letter "K" in "GEEK" overlapping so as to form a diamond.

OWNER OF U.S. REG. NO. 4760109, 2535696

SER. NO. 86-791,920, FILED 10-19-2015

MATTHEW JAMES CUCCIAS, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

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STATUS

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Mark: THINKGEEK

THINKGEEK

US Serial Number: 86791920

Application Filing Date: Oct. 19, 2015

US Registration Number: 5002007

Registration Date: Jul. 19, 2016

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status
Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 19, 2016

Publication Date: May 03, 2016

▲ Mark Information

▼ Expand All

▲ Related Properties Information

▲ Goods and Services

United States of America

United States Patent and Trademark Office

THINKGEEK

Reg. No. 5,001,722

Registered Jul. 19, 2016

Int. Cl.: 35

Service Mark

Principal Register

GEEKNET, INC. (DELAWARE CORPORATION)
11216 WAPLES MILL RD., SUITE 100
FAIRFAX, VA 22030

CLASS 35: Wholesale and retail store services featuring a wide variety of general consumer merchandise

FIRST USE 8-1-2014; IN COMMERCE 8-1-2014

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 4760109, 2535696

SER. NO. 86-740,723, FILED 08-28-2015

MATTHEW JAMES CUCCIAS, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

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Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

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Mark: THINKGEEK

THINKGEEK

US Serial Number: 86740723

Application Filing Date: Aug. 28, 2015

US Registration Number: 5001722

Registration Date: Jul. 19, 2016

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

**TM5 Common Status
Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 19, 2016

Publication Date: May 03, 2016